

MITRAL.001CP3



PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant	:	Randall Lashinski et al.	)
			)
App. No.	:	10/634,655	)
			)
Filed	:	August 5, 2003	)
			)
For	:	METHODS AND APPARATUS FOR REMODELING AN EXTRAVASCULAR TISSUE STRUCTURE	)
			)
Examiner	:	Unknown	)

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**ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION**  
**AND**  
**REVOCATION AND POWER OF ATTORNEY**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventor(s) to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventors to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 2040 Main Street, Fourteenth Floor, Irvine, California 92614, Telephone (949) 760-0404, **Customer No. 20,995**, as its attorneys with full power of substitution and revocation to prosecute this

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application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use **Customer No. 20,995** for all communications.

ev3 Santa Rosa, Inc.

Dated: 1 mar 04

By: Rich Kusleika  
Rich Kusleika

Title: Director of Research and Development

Address: 4600 Nathan Lane North  
Plymouth, MN 55442-2920

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ASSIGNMENT

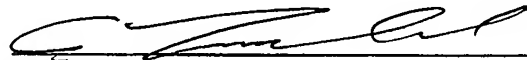
WHEREAS, We, Randall Lashinski, a U.S. citizen, residing at 675 Pleasant Avenue, Santa Rosa, CA 95403; David Taylor, a U.S. citizen, residing at ~~50 Fairlie Drive, Santa Rosa, CA 95403;~~ Matthew Birdsall, a U.S. citizen, residing at 4012 Polled Hereford Drive, Santa Rosa, CA 95404; and Jan Lau, a U.S. citizen, residing at 457 Quince Street, Windsor, CA 95492, have invented certain new and useful improvements in a METHODS AND APPARATUS FOR REMODELING AN EXTRAVASCULAR TISSUE STRUCTURE for which we have filed an application for Letters Patent in the United States, Application No. 10/634,655, filed on August 5, 2003;

AND WHEREAS, ev3 Santa Rosa, Inc. (hereinafter "ASSIGNEE"), a California Corporation, with its principal place of business at 4600 Nathan Lane North, Plymouth, MN 55442-2920, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 13 day of FEB, 2004

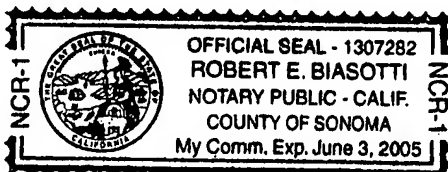
  
Randall Lashinski


STATE OF CALIFORNIA }  
COUNTY OF SONOMA } ss.

On 13 FEB, 2004, before me, ROBERT E. BIASOTTI, Notary, personally appeared Randall Lashinski personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



  
Notary Signature

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IN TESTIMONY WHEREOF, I hereunto set my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
David Taylor

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

}  
} ss.  
}

On \_\_\_\_\_, before me, \_\_\_\_\_, personally appeared David Taylor personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

\_\_\_\_\_  
Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 27<sup>TH</sup> day of FEBRUARY, 2004

Matthew Birdsall  
Matthew Birdsall

STATE OF California

COUNTY OF SONOMA

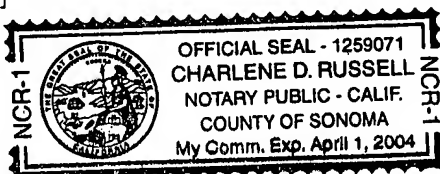
}  
} ss.  
}

On Feb 27 2004, before me, Charlene D Russell, personally appeared Matthew Birdsall personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

Charlene D Russell  
Notary Signature



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IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 6 day of January, 2004

Jan R. Lau  
Jan Lau

STATE OF CAUF }  
COUNTY OF Sonoma } ss.

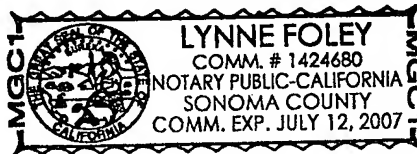
On 1-6-04, before me, Lynne Foley, personally appeared Jan Lau personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that she executed the same in her authorized capacity(ies), and that by her signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

Lynne Foley  
Notary Signature

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Page 1

### ASSIGNMENT

WHEREAS, We, Randall Lashinski, a U.S. citizen, residing at 675 Pleasant Avenue, Santa Rosa, CA 95403; David Taylor, a U.S. citizen, residing at 22341 Kirkwood, Lake Forest, CA 92630; Matthew Birdsall, a U.S. citizen, residing at 4012 Polled Hereford Drive, Santa Rosa, CA 95404; and Jan Lau, a U.S. citizen, residing at 457 Quince Street, Windsor, CA 95492, have invented certain new and useful improvements in a METHODS AND APPARATUS FOR REMODELING AN EXTRAVASCULAR TISSUE STRUCTURE for which we have filed an application for Letters Patent in the United States, Application No. 10/634,655, filed on August 5, 2003;

AND WHEREAS, ev3 Santa Rosa, Inc. (hereinafter "ASSIGNEE"), a California Corporation, with its principal place of business at 4600 Nathan Lane North, Plymouth, MN 55442-2920, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Randall Lashinski

STATE OF                    }  
                                  } ss.  
COUNTY OF                }

On \_\_\_\_\_, before me, \_\_\_\_\_, personally appeared Randall Lashinski personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

\_\_\_\_\_  
Notary Signature

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IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 2<sup>nd</sup> day of January, 2004

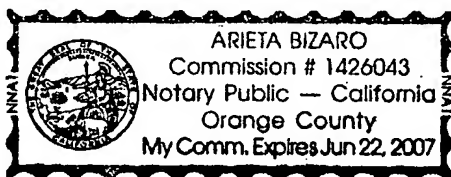
David Taylor  
David Taylor

STATE OF California }  
COUNTY OF Orange } ss.

On 01-02-04, before me, Arieta Bizaro, personally appeared David Taylor ~~personally known to me~~ (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Arieta Bizaro  
Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Matthew Birdsall

STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ } ss.

On \_\_\_\_\_, before me, \_\_\_\_\_, personally appeared Matthew Birdsall personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

\_\_\_\_\_  
Notary Signature

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IN TESTIMONY WHEREOF, I hereunto set my hand and seal this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Jan Lau

STATE OF

COUNTY OF

}  
} ss.  
}

On \_\_\_\_\_, before me, \_\_\_\_\_, personally appeared Jan Lau personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that she executed the same in her authorized capacity(ies), and that by her signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

\_\_\_\_\_  
Notary Signature

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